

208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13673-2022 (O&M)
Date of Decision:31.05.2022

Dilbag Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jitender Singh Dadwal, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioners have approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.0108 dated 14.10.2021 registered under Section 379 IPC (Section 411 IPC added later on) at Police Station Rahon, District SBS Nagar, who apprehend their arrest at the hands of Police.

On 05.04.2022, this Court had passed the following order:

“The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.0108 dated 14.10.2021, registered under Section 379 IPC (Section 411 of IPC added later on) at Police Station Rahon, District SBS Nagar.

It is contended that the petitioners have been implicated in the present case only on the basis of disclosure statement of co-accused. However, nothing is to be recovered from the present petitioners. Moreover, co-accused persons of petitioners namely Alam and Malkit Chand have already been granted concession of anticipatory bail by this Court vide orders dated 11.02.2022 (Annexures P-2 and P-3 respectively).

Notice of motion for 31.05.2022.

Mr. Tanvir Joshi, Assistant Advocate General, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book be supplied to

learned State counsel, during the course of the day by hand or through e-mail.

In the meanwhile, petitioners are directed to join the investigation. In the event of arrest, petitioners shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:

(i) that the petitioners shall make themselves available for interrogation by a police officer as and when required;

(ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioners shall not leave India without the previous permission of the Court.”

Learned counsel for the petitioners has stated that in compliance of the above order, the petitioners associated themselves in the investigation and cooperated during interrogation.

Learned State counsel, who is instructed by ASI Paramjit Singh, states that indeed the petitioners have joined the investigation and are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 05.04.2022 is made absolute.

31.05.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No